

"THE COLONY OF NOX."

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"THE COLONY OF NOX."

During an examination of the early records of Harvard College, which I made last winter, I met with a curious error in the transcription of a will, by means of which the College authorities seem to have had doubts raised in their minds whether there was not an alternative title for the Colony of New Haven. There was evidence also that this doubt lingered in their minds for fifty years. I found in the records what seemed to me to be an explanation of the error. The explanation, although plausible, did not carry absolute proof within itself and I inserted an inquiry in the March number of the Magazine of American History, asking assistance from others in procuring evidence that the explanation was correct. When I published this inquiry I had no idea that the records themselves would furnish this proof, but feared that it would be necessary for this purpose to discover the original will in England. A further examination of the College archives has, however, placed me in possession of material bearing upon the subject, which is practically as satisfactory as though I had seen the original will, and enables me to say that the explanation of the error, which was suggested in the Magazine of American History, may be regarded as proved to be correct.

The circumstances under which the error occurred and the discovery of the proof of its origin will be found in the following statement:—

In 1670, William Penoyer of England gave an annuity from his estate in Norfolk for "exhibitions." The phrase in the original will in which the testator specifically desig-

nated the manner in which the scholarships should be assigned read as follows: "With the residue thereof two fellows & two schollars for ever shall be educated, maintained, & brought up in the Colledge called Cambridge Colledge in New England, of which I desire one of them as often as occasion shall present, may be of the Lyne or Posterity of the said Robert Penoyer if they be capeable of it & the other the Colony of now or of late called New Haven Colony," etc. A copy of this clause was received by the Treasurer. Whether he forwarded the copy which he received or made a second copy does not appear, but a copy received from the Treasurer was produced at a meeting of the President and Fellows held in August, 1671, and was entered in full upon the College Book in connection with the records of that meeting. By the time that the clause of the will relating to these exhibitions, found its way upon the College Book, it had become transformed so that the phrase "The Colony of now or of late called New Haven," read "The Colony of Nox or of late called New Haven." There are in the early College books several collations of the exhibitions and trust funds. The Penoyer will is entered in these books four times; once in Book 1, twice in Book 3 and once in Book 4. Each time the error is repeated.

That the College authorities were puzzled by the phrase "The Colony of Nox or of late called New Haven," and that they thought there might have been some reason for Penoyer's use of the alternative title for the Colony of New Haven, is shown by the fact that it is several times recognized in the assignments of this exhibition. In 1679, "James Alling and Noadiah Russell both schollars of the Colonie of Nox or New Haven," were designated to receive the Penoyer annuity. Increase Mather and Thomas Brattle, in their correspondence with Samuel Crisp, the representative of the Penoyer estate, both dwell upon the fact that students from the Colony of Nox received the benefits of

the trust. Mention is made, either in the records or in Leverett's Diary, of students from the "Colony of Nox," or in more guarded phrase as "being supposed to be a scholar belonging to the Colony formerly called the Colony of Nox," in 1694, in 1716 and in 1721. Later than this I have found no reference to the Colony of Nox. Founded in the Records of Harvard College in 1671, it lived in the same seclusion until 1721 and then for a time disappeared from history. In 1862 allusion was made to it by Mr. Sibley in a note to a paper which was published in the Proceedings of the Massachusetts Historical Society. No attempt was made at that time to follow up its history.

At first sight it may seem strange that the College officials should have perpetuated this blunder for so many years. It must be borne in mind, however, that they were extremely anxious to have those from whom they might hope for gifts understand that trusts would be administered according to the intentions of their founders. They met with this phrase in what they supposed to be a correct transcript of Penoyer's will. Penoyer had relatives in America and evidently had friends in the Colony of New Haven. In describing the Colony he had apparently used a name with which they were not familiar, but it seemed as though this alternative title was used for designating more particularly a colony which had but recently lost its identity. In 1662 the charter granted to Connecticut had comprehended the Colony of New Haven. The very circumstances which led Penoyer to describe the Colony as having now or of late the title with which he was familiar, rather than by the new name to which he had not become accustomed, contributed to sustain the error. It does not require any great stretch of the imagination to bring before our eyes the scene of the discussions in which Increase Mather, Thomas Brattle, Leverett, Wadsworth and Henry Flynt participated, in seeking for an explanation of the phrase. The doubt whether it meant anything and the

preponderance of the feeling that it was wiser after all to recognize it, is apparent in the records and in the official correspondence of the College.

Without being able to assert positively how and when the error was discovered, it may be stated as probable that when Henry Flynt compiled his list of benefactors of the College, which was completed in 1722, he examined the certified copy of the will which had been transmitted from England, and with the matter fresh in his mind from assignments by the Corporation of the Penoyer annuity in 1721, solved the question of the origin of the Colony of Nox. The coincidence of the disappearance from the records of allusion to the Colony of Nox, with his work in overhauling the College papers, points almost conclusively to Flynt as the discoverer of the error.

The fact that there was a correct copy of the will, or at least of that portion of it relating to the College, is made certain by a reference in Dr. Andrew Eliot's Donation Book, to "an attested copy of Mr. Penoyer's will, MS. papers No. 25." The copy of the will extended upon the pages of the Donation Book purports to have been made from this attested copy. The phrase in question is correctly transcribed and reads "now or late." Since the compilation of that book the papers of the College have been assorted and bound in volumes. The attested copy of the Penoyer will has disappeared, but the correct transcript in the Donation Book furnishes evidence that the error originated either in the Treasurer's office or in the records themselves.

The clue which enabled me to unravel the mystery of the "Colony of Nox," was gained by a marginal entry "now or of late called New Haven Colony," abreast of the words, "Colony of Nox or of late called New Haven Colony," in one of the College books. Similar explanatory entries have been made against several of these entries which contain allusions to the Colony of Nox. These marginal

entries would be in themselves a sufficient guard against the resurrection of the error, did they include all allusions in the records to the Colony of Nox, or were they in themselves so entered as necessarily to attract the attention of the reader. As a matter of fact, however, there are several allusions to the Colony of Nox, against which no marginal notations have been made, and it is also true that no marginal notation would necessarily attract the attention of a searcher of the records. Throughout this period, the margins of the College books are filled with notations. They constitute a sort of topical index, the use of which a person making a thorough analysis of the records would naturally reject. For that reason it is perhaps as well that the history of the rise and fall of the Colony of Nox should be put on record.